

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION**

DAVID GECHT,)	
)	Case No. 23 CV 01742
Plaintiff,)	
)	Honorable Judge Lindsay C. Jenkins
v.)	Hon. Magistrate Judge Heather K. McShain
)	
RENALDO GUEVARA, et al.)	
)	JURY TRIAL DEMANDED
Defendants.)	
<hr/>		
RICHARD KWIL,)	
)	Case No. 23 CV 04279
Plaintiff,)	
)	Honorable Judge Lindsay C. Jenkins
v.)	Hon. Magistrate Judge Heather K. McShain
)	
RENALDO GUEVARA, et al.)	
)	JURY TRIAL DEMANDED
Defendants.)	

**COUNTY DEFENDANTS' UNOPPOSED MOTION TO EXTEND
DEADLINE TO FILE ANSWERS TO PLAINTIFFS' REMAINING CLAIMS**

Now come Defendants Honorable Michael J. Hood and Brendan McGuire (incorrectly captioned and named “Brendan Maguire”) (collectively “ASA Defendants”), by and through their attorneys, O’MARA & O’CALLAGHAN, LLC, along with Cook County (collectively “County Defendants”), by and through its attorney Cook County State’s Attorney Kimberly M. Foxx, through her Assistant State’s Attorney Kelli Huntsman, and respectfully request this Court for an extension of time until and including November 27, 2024 to file their answers to the remaining claims of Plaintiffs Gecht and Kwil (collectively “Plaintiffs”) against County Defendants. In support, County Defendants state as follows:

1. On September 26, 2024, this Court granted in part and denied in part County Defendants' motions to dismiss Plaintiffs' operative Complaints. *Gecht*, ECF No. 171-72; *Kwil*, ECF No. 96-97. For all of the claims dismissed without prejudice, Plaintiffs were granted leave to replead by October 14, 2024, with County Defendants' responsive pleadings due by October 28, 2024. *Id.*

2. On September 30, 2024, the Parties filed a Joint Status Report ("JSR"), which included an update on settlement negotiations. *Gecht*, ECF No. 174. In the JSR, Plaintiffs indicated that they had "executed binding settlement agreements with the County Defendants. They will each file a motion within 10 days regarding that settlement." *Id.* at 5.

3. On October 7, 2024, Plaintiffs' counsel sent via email to ASA Defendants' counsel copies of executed settlement agreements between Plaintiffs and Defendant County (on behalf of ASA Defendants), in which Plaintiffs agreed to "settle and compromise" Plaintiffs' respective claims against County Defendants in the above-captioned matters.

4. On October 16, 2024, after Plaintiffs had not filed amended complaints by October 14, 2024, this Court entered an order reiterating that County Defendants' answers to Plaintiffs' remaining claims are due by October 28, 2024. *Gecht*, ECF No. 177; *Kwil*, ECF No. 99.

5. On October 23, 2024, Plaintiffs each filed a *Joint Motion for Finding of Good Faith Settlement*, (hereinafter, collectively, their "Motions") in which Plaintiffs stated that they have each entered into agreements to "settle all claims against the County Defendants" and that "Plaintiffs' claims against the County Defendants will be dismissed with prejudice upon the Court's finding of good faith." *Gecht*, ECF No. 178; *Kwil*, ECF No. 101.

6. Plaintiffs attached to their Motions copies of the executed settlement agreements, which state in pertinent part: "If the Court finds that the Agreement was entered into by the Parties

in good faith, within 7 (seven) days of such finding the Plaintiff will cause to be filed with the Court a Stipulation to Dismiss the County Defendants With Prejudice and Without Costs, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.” *See Gecht*, ECF No. 178-1, at ¶14; *Kwil*, ECF No. 101-1, at ¶14.

7. Based on Plaintiffs both having executed agreements with the County to settle all claims against County Defendants in the above-captioned matters, County Defendants request an extension for thirty (30) days, until and including November 27, 2024, to file their answers to Plaintiffs’ remaining claims against them.

8. On October 22, 2024, counsel for ASA Defendants conferred with counsel for Plaintiffs on the proposed extension, during which time Plaintiffs’ counsel indicated that the request for extension is unopposed.

9. This is County Defendants’ first request for an extension of time since this Court ordered County Defendants to answer Plaintiffs’ remaining claims against them.

10. This proposed extension is not meant to frustrate the Court’s schedule or delay the resolution of this matter; rather, this extension would allow the Court sufficient time to address Plaintiffs’ Motions and thereafter the stipulations for dismissal, and this extension would limit the unnecessary use of time and resources of counsel to prepare and of this Court to review answers to claims that Plaintiffs have agreed will be dismissed following entry of the finding of good-faith.

WHEREFORE, County Defendants respectfully request this Honorable Court grant an extension of time up to and including November 27, 2024 to file their answers to Plaintiffs’ remaining claims.

Dated: October 24, 2024

Respectfully submitted,

/s/ Michael J. Czopkiewicz
Attorney for ASA Defendants,
Hon. Michael Hood,
Brendan McGuire

Michael J. Czopkiewicz
O'Mara & O'Callaghan, LLC
230 W. Monroe, Suite 2620
Chicago, IL 60606
Phone: (312) 600-5588
michael.c@O2lawyers.com

/s/ Kelli Huntsman
Attorney for Defendant Cook County
Kelli Huntsman
Assistant State's Attorney
500 Richard J. Daley Center
Chicago, Illinois 60602
Phone: (312) 603-7379
Kelli.huntsman@cookcountyl.gov

CERTIFICATE OF SERVICE

I, Michael J. Czopkiewicz, an attorney, hereby certify that I caused the above **County Defendants' Unopposed Motion to Extend Deadline to File Answers to Plaintiffs' Remaining Claims** to be served on all counsel of record via ECF Filing on October 24, 2024.

By: /s/ Michael J. Czopkiewicz

Attorney for Defendants Hood and McGuire